

9 September 2013

### Update of Mining Operations Plan (MOP) Guidelines, September 2013

The Mining Operations Plan (MOP) is a tool used by the Department to monitor the progress of mining and rehabilitation activities across the life of a mine. On 9 September 2013, the Department released *ESG3: Mining Operations Plan (MOP) Guidelines, September 2013* (ESG3) which details a new process for monitoring and managing progression towards successful rehabilitation outcomes. The Guideline requires industry to identify and provide measurable data and demonstrate that proposed rehabilitation outcomes are achievable and realistic within a given timeframe.

The ESG3 Guideline replaces:

- *EDG03 Guidelines to the mining, rehabilitation and environmental management process (January, 2006); and*
- *EDG11 Format and guideline for the preparation of a Mining Operation Plan (MOP): Small mine version (February 2002).*

### Transitional Period

The Department recognises that the new Guidelines represent a significant shift in thinking from earlier Guidelines and it will take time for industry to understand the new requirements and achieve compliance. Whilst Industry is encouraged to transition to the new Guidelines as soon as possible, a transition period applies as outlined below:

1. New Mining Titles – MOPs must be prepared in accordance with *ESG3: Mining Operations Plan (MOP) Guidelines, September 2013*.
2. Title Renewals – MOPs must be prepared in accordance with *ESG3: Mining Operations Plan (MOP) Guidelines, September 2013* in accordance with the requirements of point 4.
3. Where Mining Titles are not the subject of a renewal over the coming months, the Conditions of Title will be varied, using s239(2) of the *Mining Act 1992*, to include a new condition to prepare a MOP in accordance with ESG3. Transitional provisions will apply in accordance with the requirements of point 4. Until such time as the Conditions of Title are varied, MOPs may be prepared in accordance with the requirements of the Conditions of Title applicable at the time of preparing the MOP.
4. For Title Renewals, and Titles subject to a title variation under s239(2) of the *Mining Act 1992* the requirement to comply with ESG3 will apply as follows:
  - i. activities declared to be State Significant Development for the purposes of the Environmental Planning and Assessment Act 1979 (EP&A Act) will not be required to comply with the 2013 Guidelines until 1 July 2014. Until that time, any new MOP or amendment to an existing approved MOP must be in accordance with either EDG03 Guidelines to the Mining, Rehabilitation and Environmental Management Process January 2006 (“the 2006 Guidelines”) or the 2013 Guidelines. However where a new MOP or amendment to a MOP is prepared in accordance with the 2006 Guidelines, the term of the approval will be a maximum of 2 years.
  - ii. activities authorised under this mining lease which are not State Significant Development for the purposes of the EP&A Act will not be required to comply with the 2013 Guidelines until 1 July 2015. Until that time, any new MOP or amendment

to an existing approved MOP must be in accordance with either the 2006 Guidelines or the 2013 Guidelines. However where a MOP or amendment to a MOP is prepared in accordance with the 2006 Guidelines, the term of the approval will be a maximum of 2 years.

### **Questions?**

The Department recognises that there will be many questions from Industry regarding the requirements of ESG3. You are encouraged to contact your local Inspector, Environment to discuss any issues you may have in preparing a MOP. Questions may also be emailed to [minres.environment@industry.nsw.gov.au](mailto:minres.environment@industry.nsw.gov.au) with **MOP Question** in the subject line. Questions and answers may be published anonymously on the Department's website where relevant.

### **Feedback**

Industry is encouraged to provide feedback on the new Guidelines. Feedback and/or questions can be emailed to [minres.environment@industry.nsw.gov.au](mailto:minres.environment@industry.nsw.gov.au) with **MOP Comments** in the subject line.

Feedback may be incorporated into subsequent updates of ESG3 and may be published anonymously on the Department's website.

Your personal information is protected under the *Privacy and Personal Information Protection Act 1998* (PPIP Act). The Department collects personal information in submissions for the purposes set out in the Department's Privacy Statement. The Trade and Investments Privacy statement is located at <http://www.trade.nsw.gov.au/legal/privacy>



## Environmental Management Guidelines for Industry

9 September 2013

These Guidelines have been superseded by ESG3: Mining Operations Plan (MOP) Guidelines, September 2013.

MOPs prepared in accordance with these Guidelines will be accepted subject to the transitional arrangements published above.

### Format and Guideline for the Preparation of a Mining Operation Plan SMALL MINE VERSION

*This form may be used as an alternative to the format described in **Guidelines to the Mining, Rehabilitation and Environmental Management Process**. The form is suitable for mines:*

- with less than 4 hectares of total disturbance at any time during the MOP period. (may be extended at the discretion of the Department).
- which do not use dangerous or hazardous chemicals, or store greater than 1,000 litres of fuel on the mine site
- which do not have or require an EPA pollution control licence, or have a dam prescribed under the Dam Safety Act.
- where the primary environmentally significant issues are erosion and sediment control, and rehabilitation,
- are free of acid mine drainage and possible contamination problems
- without Aboriginal or historic heritage issues

*At the discretion of the Department the form may be used for some sites which do not meet these criteria.*

### MINING OPERATION PLAN REQUIREMENTS

Each mine operator in NSW is required to develop a Mining Operations Plan (MOP) that applies current best mining practice to achieve agreed environmental outcomes. Site activities must not be undertaken other than in accordance with a MOP that has been accepted by the Department. "Guidelines to the Mining, Rehabilitation and Environmental Management Process" gives further detail of the context and regulatory framework which guides a MOP.

A MOP may be for seven years or, if convenient to both the Government and the Leaseholder, an agreed lesser period.

Progress against the MOP, and environmental performance in general, is reported each year through an Annual Environmental Management Report.

Changes of timing or scheduling, and minor deviations from the MOP that occur during the course of mining, can be accommodated by annual review without a need to redraft and submit the MOP document.

### COMPLETION GUIDELINES

The form may be filled in by hand or typed. A MSword version is available on request.

As this guide applies regardless of the stage in the mine life cycle and the nature of operations, there may be some sections which are not relevant to a specific mine site and may be noted as not applicable.

Completed forms should be sent to your previous Departmental contact or:

Administration Officer,  
Environmental Sustainability Branch  
NSW Dept of Primary Industries - Mineral Resources  
PO Box 344  
Hunter Region Mail Centre NSW 2310

## PLAN GUIDELINES

Plans may be derived from a convenient base map/plan with activity areas and features drawn by hand provided there is sufficient accuracy and detail to adequately describe activities and their impact. If contours are not shown, slopes and drainage lines must be clearly marked. The scale should show sufficient detail to review operations and rehabilitation. For most small mines A3 or A4 or sized plans will be appropriate. Also provide photographs and diagrams where appropriate. All plans must show

- the name of the mine;
- a graphical scale;
- boundaries of leases;
- cadastral information (land ownership boundaries);
- a title block showing the date of preparation of the plan, title and number;
- the signature of the person responsible for the plan.

## PLANS REQUIRED

### Plan 1: Pre MOP

Show the state of the site at the COMMENCEMENT of the MOP period including:

- site access and relationship to the nearest main road and town;
- natural features including swamps, rivers, creeks, streams or watercourses;
- existing non mining developments including roads, fences, transmission lines;
- vegetation and land use boundaries; eg cropping, pasture, forest, undisturbed flora/fauna habitat;
- derelict mines/mined land from activities which occurred before the grant of the present mine lease;
- neighbouring residences, within and adjacent to the mine holding/lease(s) area;
- extent of all mining, mineral processing, waste emplacement, ore/product stockpile, soil stockpiles, water management structures, other infrastructure features, rehabilitation, water monitoring sites.

### Plan 2: End of MOP

Show the proposed state of the site at the END of the MOP period including:

- the extent of all mining, mineral processing, waste emplacement, ore/product stockpile, soil stockpiles, other infrastructure features;
- constructed drainage lines, water management and erosion control structures, water monitoring sites;
- the slope and shape of rehabilitated land;
- vegetation on rehabilitated land, and boundaries of vegetation types.

### Plan 3: Final Rehabilitation

Show the anticipated state of the site after rehabilitation has been completed and the lease prepared for title relinquishment including:

- natural features including swamps, rivers, creeks, streams or watercourses;
- pre mining non mining developments including roads, fences, transmission lines;
- derelict mines/mined land from activities which occurred before the grant of the present mine lease;
- neighbouring residences, within and adjacent to the mine holding/lease area;
- boundaries and slopes of disturbed and rehabilitated land;
- vegetation type and land use boundaries of disturbed and undisturbed land;
- post mining land use capability of undisturbed and rehabilitated land;
- constructed drainage lines, water management and erosion control structures;
- remaining voids/pits and remaining disturbed land;
- all mine related infrastructure to remain on site after mine closure;
- fences, bunds and other public, fauna/ and stock safety features

*Where mine closure will be completed during this MOP period, plans 2 and 3 may be combined*

## MINING OPERATIONS PLAN FOR SMALL MINES

### Title Details

**Name of mine** .....

**Mining Titles/Leases** ..... **Expiry Date** .....

**Name of leaseholder** .....

**Name of mine operator (if different)** .....

**Postal Address** .....

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.....

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**Telephone/fax/email** .....

### Land Ownership and Land Use Boundaries

Land Owner/Occupier (if the Crown, state agency)	Tenure, (freehold/leasehold)	Premining landuse
.....	.....	.....
.....	.....	.....

### Consents and Licences

Local Council Area .....

Development Consent: granted [ ] required but not granted [ ] not required [ ]

Do licences granted by other agencies apply to the mine activities? yes[.....] no[.....]

EPA [.....] NPWS [.....] NPWS [.....] Dam Safety [.....] Other [.....] .....

### MOP Period

MOP Commencement Date ..... MOP Completion date (nominal) .....

### Comments

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### Signatures

#### Leaseholder

Signature .....

Name .....

Date .....

#### Environmental Officer

Signature .....

Name .....

Date .....



**PROPOSED REHABILITATION DURING THE MOP PERIOD**

Describe proposed rehabilitation and methods to be used for each rehabilitated area. Descriptions should supplement information shown on plan 2. .Include, where relevant:

- a) rehabilitated landform, profile, and slopes;
- b) subsoil and topsoil cover thicknesses;
- c) vegetation species, plant/seed density, soil treatment, method of establishment;
- d) agreed post mining land use, or land use options.

Superseded

**TABLE 2: Summary Of Proposed Rehabilitation**

	Area Affected (hectares)		
	Total Area, start of MOP	Total Area, end of MOP	At mine closure ( <i>anticipated</i> )
<b>A: MINE LEASE AREA</b>			
<b>A1 Mine lease(s) Area</b>			
<b>B: DISTURBED AREAS</b>			
<b>B1 Infrastructure area</b> (other disturbed areas to be rehabilitated at closure including facilities, roads)			
<b>B2: Active Mining Area</b> (excluding items B3 - B5 below)			
<b>B3 Waste emplacements,</b> (active/unshaped/in or out-of-pit )			
<b>B4 Tailings emplacements,</b> (active/unshaped/uncapped)			
<b>B5 Shaped waste emplacement</b> (awaits final vegetation)			
<b>ALL DISTURBED AREAS</b>			
<b>C REHABILITATION</b>			
<b>C1 Total Rehabilitated area</b> (except for maintenance)			
<b>D: REHABILITATION ON SLOPES</b>			
<b>D1 10 to 18 degrees</b>			
<b>D2 Greater than 18 degrees</b>			
<b>E: SURFACE OF REHABILITATED LAND</b>			
<b>E1 Pasture and grasses</b>			
<b>E2 Native forest/ecosystems</b>			
<b>E3 Plantations and crops</b>			
<b>E4 Other</b> (include nonvegetative outcomes)			





